

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TERRY SMITH, a/k/a TERRELL NEAL,

Plaintiff,

**ORDER**  
**07 CV 2795 (RJD)(LB)**

-against-

PAROLE OFFICER LISA DUQUESNAY,

Defendant.

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**BLOOM, United States Magistrate Judge:**

On October 29, 2008, the Second Circuit vacated the Court's judgment as to defendant Duquesnay relating to plaintiff's second parole revocation and remanded the case "with the suggestion that the district court appoint counsel for plaintiff<sup>1</sup> . . . [and to] consider whether Heck v. Humphrey, 512 U.S. 477 (1994) bars appellant's 42 U.S.C. §1983 action . . . ." (*Id.*)

The Clerk of Court is therefore directed to prepare the necessary papers to have defendant Parole Officer Lisa Duquesnay served with process, and to add this defendant's name and address to the docket sheet as specified in plaintiff's complaint.<sup>2</sup>

The United States Marshals Service is hereby directed to serve a copy of this Order, the

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<sup>1</sup> The Court cannot require an attorney to represent a litigant in a civil case. Mallard v. United States District Court, 490 U.S. 296 (1989). However, the Court has requested pro bono counsel for plaintiff and advertised his case. No attorney has volunteered to represent plaintiff in this case as of this time.

<sup>2</sup> The Clerk of Court shall mark defendants Parole Officer Doretha Doctor and John Does 1 - 6 as terminated pursuant to the Court's September 17, 2007 Order.

Second Circuit Mandate, the summons and the complaint on the defendant.

SO ORDERED.

/S/  
LOIS BLOOM  
United States Magistrate Judge

Dated: November 20, 2009  
Brooklyn, New York